

U.S.S.N. 10/605,788

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81084431 (FGT 1867 PA)

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REMARKS

AUG 03 2007

In the present application claims 1-3, 6-9 and 11-12 are pending. The remaining issues regarding this application center on the use of the terms and limitations "vehicle settings", "passive off-board", and "vehicle production line".

The Examiner rejects the claims 1-3, 6-9 and 11-12 under 34 USC 112, second paragraph as vague and not properly defined so as to determine what the applicant is seeking. The Applicant respectfully traverses these rejections and seeks reconsideration of the Examiner based on the following arguments and amendments.

35 USC 112, Second Paragraph Rejections

The Applicant respectfully seeks reconsideration of this rejections for the following reasons:

"Vehicle Settings"

A laundry list of vehicle settings well known in the automotive industry were disclosed in the specification as filed. One skilled in the art would clearly know what a customer comfort setting would be (heat, seat position, etc.). Similarly one would clearly know what a performance setting or a safety setting etc. would encompass. The Applicant again asserts that the term "vehicle settings" is well defined, if broad, and understood by one in the art. However, in the interest of making headway in prosecution, the Applicant has respectfully limited the term in the amendment to the list of settings enumerated in the specification as filed. The Applicant therefore requests reconsideration.

"Passive Off-Board"

The Applicant respectfully requests reconsideration. As expressly has limited throughout prosecution the term "passive" to mean generating no active signal. This is well-known in the art. Passive signals are those that are not actively generated. Reflectors are one well known example. A signal can be

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received from these passive signal generators, but no active signal is generated from the reflector itself. However, in the interest of prosecution, the Applicant has respectfully amended the claim to reflect this. Webster defines passive (in the electronics context) as: exhibiting no gain or control. Dictionary.com defines it as: designed to relay signals without electronic devices. Both are well understood and comply with the well known electronics definition of "passive". With regard to "off-board" it is clear from the specification that "off-board" is defined by "external to the vehicle. The Applicant respectfully requests reconsideration.

"Vehicle Production Line"

The Applicant asserts that the Examiner is mistaken. While vehicles MAY be taken off the line during production for a test drive or off-site testing, these procedures are NOT considered in the art to be part of vehicle production, but rather vehicle testing. In a similar vein, if a vehicle was taken off the line for an advertising campaign, it would NOT make that process part of production. Applicant asserts that this is not new matter and should be considered. The Applicant has respectfully removed this limitation in the hopeful furtherance of prosecution. The Applicant respectfully requests reconsideration.

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CONCLUSION

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The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

ARTZ & ARTZ, P.C.



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